FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL APPLICATION NO. 1434 OF 2005
(for leave to file appeal)

The State of Maharashtra ...Applicant.

V/s

Bhaskar Janardan Patil & Ors. ...Respondents.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

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Mrs. V.R. Bhosale, APP for the State.

CORAM: V.G.PALSHIKAR &
R.C.CHAVAN, JJ
DATE : 4th August, 2005

P.C.

1. By this application, State seeks leave to file appeal against the judgment dated 24/12/2002.

2. By the impugned judgment, the learned trial judge, on appreciation of evidence, acquitted the accused. The main reason for acquitting the accused was that the eye witness account was in contradiction with the medical evidence on record and, therefore, preference having been given to medical evidence, the acquittal was ordered. There is no

error of law in this reasoning. Merely because different view on reappreciation of evidence is possible, this Court is reluctant to interfere with the orders of acquittal. Hence, leave is rejected.

(V.G.PALSHIKAR, J.)

(R.C.CHAVAN, J.)